

**Notice of Allowability**

Application No.

09/870,545

Applicant(s)

TAKAKA

Examiner

Art Unit

Joseph A. Fischetti

3627

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amdmt of 9/17/04.
2. ☒ The allowed claim(s) is/are 1,2,4,6,15,17 and 19.
3. ☒ The drawings filed on 17 September 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **EXAMINER'S AMENDMENT**

The following is an examiner's statement of reasons for allowance:

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Clear Statement of reasons for Allowance:**

None of the art of record discloses or suggests the system recited in claim 1 which covers a food and drink serving system for an eating and drinking place in which a meal ticket dispenser dispenses an order ticket remotely of tables to a customer allowing the customer to place an order before seating takes place in order to have the meal timed with the customer being seated such that a reader located at the customer's table reads the ticket order and hence identifies where the order should be delivered and chronologically serves according to the identifying information on the ticket.

### **Closet prior art:**

The patent to Trimble '732 is the closest prior art in that it discloses a system for ordering food wherein the seating location is part of the order. However the order is placed contemporaneously with the seating of the individual and is done electronically, so there is no ticket that is dispensed from a location remote from the seat nor is there a

Art Unit: 3627

reading unit for reading the order and sending it with the seat identifier. Thus the Trimble reference fails to accomplish the desired effects of the claimed invention because it cannot permit an order to be placed before seating occurs.

In particular, the reference does not disclose or suggest a customer-operated automatic meal ticket dispenser disposed at an order placing location remote from a customers table, which accepts a customer-initiated order, corresponding to order identifying information: and which dispenses a meal ticket to a customer, the dispenser including first transmitting means for transmitting the order identifying information of the meal ticket to a cooking location at the time the customer purchases the meal ticket from the meal ticket dispenser, and reading units, arranged at customer tables respectively, for reading order identifying information of meal tickets of customers, said reading units being operatively coupled to second transmitting means for transmitting cooking information including the order identifying information read by a respective reading unit and a seat number identifying information on the table in which the reading unit is arranged.

**REFERENCE CITATIONS:****Best US Reference:**

The patent to Trimble '732 is the best US prior art in that it discloses a system for ordering food wherein the seating location is part of the order. However the order is placed contemporaneously with the seating of the individual and is done electronically,

so there is no ticket that is dispensed from a location remote from the seat nor is there a reading unit for reading the order and sending it with the seat identifier. Thus the Trimble reference fails to accomplish the desired effects of the claimed invention because it cannot permit an order to be placed before seating occurs. In particular, the reference does not disclose or suggest a customer-operated automatic meal ticket dispenser disposed at an order placing location remote from a customer's table, which accepts a customer-initiated order, corresponding to order identifying information; and which dispenses a meal ticket to a customer, the dispenser including first transmitting means for transmitting the order identifying information of the meal ticket to a cooking location at the time the customer purchases the meal ticket from the meal ticket dispenser, and reading units, arranged at customer tables respectively, for reading order identifying information of meal tickets of customers, said reading units being operatively coupled to second transmitting means for transmitting cooking information including the order identifying information read by a respective reading unit and a seat number identifying information on the table in which the reading unit is arranged.

### **Best Foreign Reference**

FR 2758637 is the closest foreign reference of record in that it discloses a ticket which is purchased for rail transportation but which ticket also includes a meal provision.

However, the system fails to disclose or suggest any of the particulars of the claim 1 namely, a customer-operated automatic meal ticket dispenser disposed at an order placing location remote from a customer's table, which accepts a customer-initiated

order, corresponding to order identifying information: and which dispenses a meal ticket to a customer, the dispenser including first transmitting means for transmitting the order identifying information of the meal ticket to a cooking location at the time the customer purchases the meal ticket from the meal ticket dispenser, and reading units, arranged at customer tables respectively, for reading order identifying information of meal tickets of customers, said reading units being operatively coupled to second transmitting means for transmitting cooking information including the order identifying information read by a respective reading unit and a seat number identifying information on the table in which the reading unit is arranged.

#### **Best NPL**

The Article entitled "Transforming Travel" was cited because it discusses the use of remote booking of a reservation to obtain a seat on a airline. However, other than that feature, the reference fails to disclose or suggest any other feature of the claimed invention, namely, a customer-operated automatic meal ticket dispenser disposed at an order placing location remote from a customers table, which accepts a customer-initiated order, corresponding to order identifying information: and which dispenses a meal ticket to a customer, the dispenser including first transmitting means for transmitting the order identifying information of the meal ticket to a cooking location at the time the customer purchases the meal ticket from the meal ticket dispenser, and reading units, arranged at customer tables respectively, for reading order identifying information of meal tickets of customers, said reading units being operatively coupled to

Art Unit: 3627

second transmitting means for transmitting cooking information including the order identifying information read by a respective reading unit and a seat number identifying information on the table in which the reading unit is arranged.

**Art Cited not relied for the following reasons:**

4415065 cited for the purpose generally of automated restaurant management.

5651775 cited for the purpose generally of computerized delivery system.

4803917 cited for the purpose generally of automated food cookers

5347917 cited for the purpose generally of automated food cookers

4530067 cited for the purpose generally of automated restaurant management.

4800438 cited for the purpose generally of self-ordering system.

5218527 cited for the purpose generally of food POS systems.

5235509 cited for the purpose generally of self-ordering system.

5262938 cited for the purpose generally of food service routing.

5377097 cited for the purpose generally of order processors.

6088681 cited for the purpose generally of automated restaurant management.

2640581 cited for the purpose generally of automated food processors.

Any inquiry concerning this communication should be directed to PRIMARY  
EXAMINER Joseph A. Fischetti telephone number (703) 305-0731.

98